IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

Crl.Rev.Pet.No. 748 of 1998()

CRA.299/1996 of ADDL.SESSIONS COURT, KOZHIKODE
CC.321/1994 of JUDL.MAGISTRATE OF FIRST CLASS-I, THAMARASSERY

.....

REVN. PETITIONER:

KURUPPACHANKANDI BASHEER,
S/O.KUNHIRAYIN KUTTY,
KEDAVUR AMSOM CHAMAL DESOM.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

---

1. THE SUB INSPECTOR OF POLICE,
THAMARASSERY.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.CIBI THOMAS
PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.3819/1998 IN CRL.R.P.NO.748/1998

CLOSED

SD/- K.R.UDAYABHANU, JUDGE

09/07/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Crl.R.P.No.748 of 1998

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Dated this the 9th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Sections 452, 324, 354 of the Indian Penal Code and sentenced to undergo simple imprisonment for six months for the offence under Section 452 I.P.C and simple imprisonment for three months for the offence under Section 354 I.P.C and to pay a fine of Rs.1000/- for the offence under Section 324 I.P.C. and in default to undergo simple imprisonment for two months.

2. It is submitted by the counsel for the petitioner that the matter has been compounded and a joint application in this regard filed, signed by both sides and their respective counsel.

The offence under Section 452 I.P.C is not compoundable. Hence, the sentence imposed for the offence under Section 452 I.P.C is modified to imprisonment till the rising of

the court and to pay a fine of Rs.250/- and in default to undergo simple imprisonment for one week. The revision petitioner shall appear before the Judicial Magistrate of the First Class-I, Thamarassery, on 08/08/2007 to receive the sentence. The offences under Sections 354 and 324 I.P.C are compounded and the accused is acquitted for the above offences.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Crl.R.P.No.748 of 1998

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

O R D E R

9th July, 2007